

FELONY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

SECOND SUPERCEDING INDICTMENT FOR VIOLATIONS OF
THE FEDERAL CONTROLLED SUBSTANCES ACT
AND FEDERAL GUN CONTROL ACT

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 09-166
v.	*	SECTION: "N"
LARRY ROSS	*	VIOLATIONS: 21 U.S.C. § 841 (a)(1)
a/k/a "Big Whiskey," "Big Boy"		21 U.S.C. § 846
TODD DAGGS	*	21 U.S.C. § 843(b)
a/k/a "Slim"		18 U.S.C. § 922(g)
RODNEY BOLTON	*	18 U.S.C. § 924(c)
a/k/a "Stepper," "Vamp"		
	*	*
	*	*

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown, but prior to July 12, 2005, and continuing to on or about June 4, 2009, in the Eastern District of Louisiana and elsewhere, the defendants, **TODD DAGGS**, a/k/a "Slim," **LARRY ROSS**, a/k/a "Big Whiskey" and "Big Boy," and **RODNEY BOLTON**, a/k/a "Stepper" and "Vamp," did knowingly and intentionally combine, conspire, confederate, and agree with each other, and with other persons known and unknown to the Grand Jury to distribute and possess with the intent to distribute 5 kilograms or more of a mixture or substance containing a

detectable amount of cocaine hydrochloride, a Schedule II drug controlled substance, and one (1) kilogram or more of a substance containing a detectable amount of heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846.

COUNT 2

On or about July 12, 2005, in the Eastern District of Louisiana, **TODD DAGGS, a/k/a “Slim,”** having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: a conviction on October 29, 2003, in the Criminal District Court for the Parish of Orleans, State of Louisiana, Case Number 439-693 “L” for possession of crack, in violation of Louisiana Revised Statute 40:967(c)(2), did knowingly possess in and affecting commerce two firearms, to wit: a Glock model 27, .40 caliber semi-automatic pistol, bearing serial number BWG 600 US and a Lorcin, model L9mm, 9 mm caliber semi-automatic pistol, bearing serial number L095737, all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 3

On or about July 12, 2005, in the Eastern District of Louisiana, **TODD DAGGS, a/k/a “Slim,”** did knowingly possess a firearm, to wit: a Glock model 27, .40 caliber semi-automatic pistol, bearing serial number BWG 600 US, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: possession with intent to distribute a quantity of a substance containing a detectable amount of heroin, a Schedule I drug controlled substance, and possession with intent to distribute a quantity of marijuana, a Schedule I drug controlled substance, as charged in Count 4, in violation of Title 21, United States Code,

Sections 841(a)(1) and 841(b)(1)(C) and (D); all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 4

On or about July 12, 2005, in the Eastern District of Louisiana, **TODD DAGGS, a/k/a "Slim,"** did knowingly and intentionally possess with intent to distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, and a quantity of marijuana, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and (D).

COUNT 5

On or about July 12, 2005, in the Eastern District of Louisiana, **TODD DAGGS, a/k/a "Slim,"** did knowingly possess a firearm, to wit: a Lorcin, model L9mm, 9 mm caliber semi-automatic pistol, bearing serial nubmer L095737, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: possession with intent to distribute a substance containing a detectable amount of heroin, a Schedule I drug controlled substance, and possession with intent to distribute a quantity of cocaine hydrochloride, a Schedule II drug controlled substance, as charged in Count 6, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 6

On or about July 12, 2005, in the Eastern District of Louisiana, **TODD DAGGS, a/k/a "Slim,"** did knowingly and intentionally possess with intent to distribute a quantity of a mixture or substance containing a detectable amount of cocaine hydrochloride, a Schedule II drug

controlled substance, and a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 7

On or about July 25, 2007, in the Eastern District of Louisiana, **LARRY ROSS, a/k/a “Big Boy” and “Big Whiskey,”** did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to possess with intent to distribute heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 8

On or about August 1, 2007, **RODNEY BOLTON, a/k/a “Stepper” and “Vamp,”** did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to possess with intent to distribute cocaine hydrochloride, a Schedule II drug controlled substance, and heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 9

On or about August 11, 2007, in the Eastern District of Louisiana, **LARRY ROSS, a/k/a “Big Boy” and “Big Whiskey,”** did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to possess with

intent to distribute heroin, a Schedule I drug controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 10

On or about August 20, 2007, **RODNEY BOLTON, a/k/a “Stepper” and “Vamp,”** did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to possess with intent to distribute cocaine hydrochloride, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 11

On or about August 27, 2007, **RODNEY BOLTON, a/k/a “Stepper” and “Vamp,”** did knowingly and intentionally use a communication facility, to wit, a telephone, in committing, causing and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, that is, conspiracy to possess with intent to distribute cocaine hydrochloride, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 12

On or about December 9, 2008, in the Eastern District of Louisiana, **LARRY ROSS, a/k/a “Big Boy” and “Big Whiskey,”** did knowingly and intentionally possess with intent to distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1, 4 and 6 through 12 of this Second Superseding Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1, 4 and 6 through 12 the defendants, **TODD DAGGS, a/k/a "Slim," LARRY ROSS, a/k/a "Big Whiskey" and "Big Boy," and RODNEY BOLTON, a/k/a "Stepper" and "Vamp,"** shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts 1, 4 and 6 through 12 of this Second Superseding Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

NOTICE OF GUN FORFEITURE

1. The allegations of Counts 2, 3 and 5 of this Second Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924 (d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 2, 3 and 5, the defendant, **TODD DAGGS, a/k/a "Slim,"** shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28 United States Code, Section 2461, any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Sections 922(g)(1), 924(c)(1)(A), and 924(a)(2), as alleged in Counts 2, 3 and 5 of the Second Superseding Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or


- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

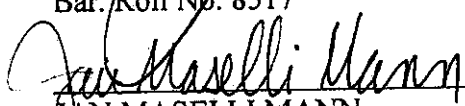
All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), 924(c)(1)(A), and 924(d)(1).

A TRUE BILL:

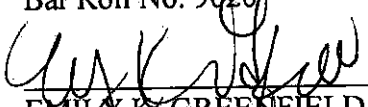
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New Orleans, Louisiana
January 29, 2010